

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ANTHONY GENNARELLI,

Plaintiff

v.

DAVID A. VARANO, et al.,

Defendants

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CIVIL ACTION NO. 3:3-2005

(Judge Mannion)

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**
HEREBY ORDERED THAT:

1. Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) is **GRANTED**.
2. The complaint is **DISMISSED**, without prejudice, as frivolous pursuant to 28 U.S.C. §1915(e)(2)(B)(i).
3. The Clerk of Court shall **CLOSE** this case.
4. Any appeal from this order will be deemed frivolous, not taken in good faith and lacking in probable cause.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

DATED: August 6, 2013